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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|-------------------------------|------------------|
| 09/387,616 | 08/31/1999 | DAN KIKINIS | P3233D1 | 2803 |
| 24739 | 7590 | 07/28/2005 | | |
| CENTRAL COAST PATENT AGENCY PO BOX 187 AROMAS, CA 95004 | | | EXAMINER KNOWLIN, THJUAN P | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2642 | |

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/387,616

Applicant(s)

KIKINIS ET AL.

Examiner

Thjuan P. Knowlin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on March 17, 2005 has been entered. No claims have been amended. No claims have been cancelled. No claims have been added. Claims 1-25 are still pending in this application, with claims 1, 8, 15, and 20 being independent.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Petrunka et al (US 6,122,364).

4. In regards to claims 1, 8, 15, 20, 22, and 23, Petrunka discloses a method and system for establishing a remote agent station (Fig. 1 and agent terminal 1310) from a call center (Fig. 1 and Network Call Center 1100), comprising steps of: establishing a data link (data network 1500) between a computer platform at the remote agent station and a CTI processor connected to a telephony switch at the call center (Fig. 1 and col. 3 lines 15-21); determining to switch a selected one of the incoming calls to an agent at the remote agent station; retrieving data associated with the selected incoming call (col. 1-6) from a database (ACD server 1120); forwarding the data associated with the selected incoming call to the computer platform at the remote agent station via the data

link (col. 5 lines 44-50); placing a call from the call center to a telephone at the remote agent station; and switching the selected incoming call to the remote agent station (col. 5 lines 51-61).

5. In regards to claims 2 and 9, Petrunka discloses a method, wherein the CTI processor at the call center and the computer platform at the remote agent station each have a modem connected by a telephony line to a telephony network (PSTN 1400), and the data link is established by the computer platform dialing up the CTI processor through the telephony network (col. 3 lines 15-29).

6. In regards to claims 3, 10, 16, and 24, Petrunka discloses the method and system, wherein the telephony network is a publicly-switched telephony network (Fig. 1 and PSTN 1400).

7. In regards to claims 4, 11, and 25, Petrunka discloses the method, wherein the CTI processor at the call center is adapted as an Internet server, and the data link is established by the computer platform at the remote agent station dialing up an Internet service provider and establishing an Internet connection to the CTI processor (col. 3 lines 8-14).

8. In regards to claims 5, 6, 12, 13, 17, and 18, Petrunka discloses the method, wherein the data forwarded is displayed as a screen pop on a video display connected to the computer platform at the remote agent station (col. 5 lines 44-50).

9. In regards to claims 7, 14, and 19, Petrunka discloses the method, wherein first control routines executing at the CTI processor and second control routines executing at the computer platform at the remote agent station are adapted to cooperate over the

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data link to provide call center services to the agent at the remote agent station (col. 5 lines 44-61).

10. In regards to claim 21, Petrunka discloses the system, wherein the data connection is established prior to a first call being switched to the remote agent station, and is maintained open thereafter as further calls are switched to the remote agent station (col. 5 lines 23-31 and col. 5 lines 44-50).

Response to Arguments

11. Applicant's arguments filed 03/17/05 have been fully considered but they are not persuasive. Applicant argues that Petrunka clearly teaches that all communication between the agent station and the call center, customers, and up to three other host computers occurs over a single data link 1500 between the agent station 1300 and the call center 110 (col. 5, lines 51-61). Applicant states that Petrunka does not teach a separate telephone on the PSTN for communicating with customers routed from the call center, but instead, utilizes one data network connection 1500 to facilitate virtually all communication. Examiner is unable to properly address this argument, due to the fact that the issue of two separate links, one for data and one for conversing with customers, is not recited in the claims of the present invention. As written, the claims merely recite retrieving data, forwarding the data, and placing a call to the remote agent station. There is no limitation of the data and call being sent on separate links.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

13. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin


BENNY TIEU
PRIMARY EXAMINER
A.U. 2642